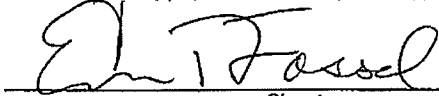


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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) S1509.70029US00
<p>In re Application of: Eric T. Fossel</p> <p>Application No.: 08/932,227-Conf. #5092</p> <p>Filed: September 17, 1997</p> <p>For: TOPICAL DELIVERY OF L-ARGININE TO CAUSE BENEFICIAL EFFECTS</p> <p>The owner*, <u>Strategic Science & Technologies, LLC</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent No. <u>7,629,384</u> as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:</p> <ul style="list-style-type: none">expires for failure to pay a maintenance fee;is held unenforceable;is found invalid by a court of competent jurisdiction;is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;has all claims canceled by a reexamination certificate;is reissued; oris in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. <p>For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"><div data-bbox="440 1186 1047 1297"> Signature</div><div data-bbox="1079 1207 1339 1297"><u>7/21/10</u> Date</div></div> <div style="display: flex; justify-content: space-between; align-items: flex-end;"><div data-bbox="495 1312 1339 1375"><u>Eric T. Fossel, President and CEO</u> Typed or printed name</div><div data-bbox="998 1375 1339 1438"><u>617-299-4800</u> Telephone Number</div></div> <div data-bbox="324 1438 844 1470"><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included.</div> <div data-bbox="462 1480 1258 1522"><p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p></div> <div data-bbox="300 1543 1112 1585"><p>*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.</p></div>	